



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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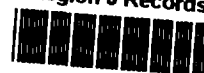
REPLY TO THE ATTENTION OF

August 9, 1995

VIA FAX THEN
U.S. MAIL

Joseph G. Nassif
Coburn & Croft
Suite 2900
One Mercantile Center
Saint Louis, Missouri 63101
FAX (314) 621-2989

EPA Region 5 Records Ctr.



247031

RE: Standard Scrap Metal/Chicago International Exporting
Site, Chicago, Illinois
U.S. v. Steven Cohen, et al.
Case No. 94 C 6801

Dear Mr. Nassif:

As you know, the respondents/defendants in the above referenced matter received Unilateral Administrative Order No. V-W-95-C-283 ("Order") which requires them to, inter alia, cease their operations which cause the release or threat of release of hazardous substances at or from the above referenced Site, and to implement a sampling plan to ensure that no such releases occur.

Also, as you know, the respondents/defendants began to implement an approved sampling plan under the Order. However, Steven Faryan, U.S. EPA's On-scene Coordinator, recently received a telephone message from Steven Cohen, an owner/operator of the Site, indicating that the defendants/respondents no longer intend to implement the sampling plan and, therefore, do not intend to comply with the Order. During a site visit, Mr. Faryan noticed that the metal shredder was being prepared to operate earlier this week.

Please confirm the defendants'/respondents' intent, as set forth above, with respect to the Order by no later than COB August 11, 1995. If U.S. EPA does not receive such confirmation by then, EPA must consider Mr. Cohen's message to Mr. Faryan, as described above, as an indication from the defendants/respondents that they do not intend to comply with the Order. As you know, under Section 106 of CERCLA, failure to comply with the Order may subject the defendants/respondents to civil penalties of not more than \$25,000 per day for each day of violation. Under Section



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106 of CERCLA, EPA may also seek to enforce the Order and seek injunctive relief.

On a separate matter, this letter confirms our telephone conversation today by which Mr. Samuel Brooks notified you that the United States' second motion in aid of access is scheduled to be heard by the court on August 22, 1995 at 9:30 a.m.

Please do not hesitate to call me at (312) 886-6831 if you have any questions regarding this matter.

Sincerely,



Kurt N. Lindland
Assistant Regional Counsel

cc: Samuel D. Brooks
Assistant United States Attorney
United States Attorney's Office
Northern District of Illinois